

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

GREAT DANE LIMITED PARTNERSHIP, *

Plaintiff *

vs. *

CASE NO. 3:08-CV-89 (CDL)

STOUGHTON TRAILERS, LLC and
NEWCOURT, INC., *

*

Defendants

*

O R D E R

On June 30, 2010, Plaintiff filed an Emergency Motion to Compel Newcourt, Inc. and its Counsel to Respond to Discovery (Doc. 68). On that same day, the Court electronically notified the attorneys for the parties that it had scheduled a telephone hearing on the motion for 3:00 P.M. on July 1, 2010. The Court followed up this electronic notification with separate e-mail correspondence regarding the telephone hearing. The attorneys for Plaintiff and Defendant Stoughton Trailers, LLC, appeared for the telephone conference. Attorneys for Newcourt, Inc. did not appear.

Plaintiff requested that the Court consider the motion on an expedited basis because a hearing is scheduled for July 6, 2010 in the Newcourt, Inc. bankruptcy proceeding which Plaintiff is concerned may affect Plaintiff's rights to obtain the discovery it has requested in its motion. The Court finds that expedited consideration of the motion is appropriate and further finds that

adequate notice of the motion and telephone hearing was provided to all parties and their counsel.

It is clear that Plaintiff is entitled to the discovery that it seeks in its motion. Accordingly, Plaintiff's motion is granted. Defendant Newcourt, Inc. and its counsel are hereby ordered to respond to all previously served written discovery requests, including interrogatories and requests for production of documents, by 5:00 P.M. on July 9, 2010. Melvin Court is hereby ordered to appear for his deposition on July 16, 2010, beginning at 10:00 A.M. at Tau Legal, 5301 Summerhill Road, Texarkana, Texas. Defendant Newcourt, Inc. and its counsel are further notified that failure to comply with this Order could subject both Newcourt, Inc. and its counsel to sanctions. Counsel for Newcourt, Inc. are reminded that they are not relieved of their obligations as attorneys of record, unless the Court enters an order allowing for their withdrawal, which the Court is not inclined to do until the above described discovery is completed.

IT IS SO ORDERED, this 1st day of July, 2010.

S/Clay D. Land

CLAY A. LAND
UNITED STATES DISTRICT JUDGE